

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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PHILLIP NORRIS,

Plaintiff,

vs

9:06-CV-397

DOCTOR LESTER N. WRIGHT,  
Chief Medical Officer,

Defendant.

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APPEARANCES:

PHILLIP NORRIS
Plaintiff, Pro Se
c/o Mrs. Wanda Moore
Apt. # 21
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New York, New York 10027

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CHRISTINA L. ROBERTS-RYBA, ESQ.
DEAN J. HIGGINS, ESQ.
Asst. Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Plaintiff, Phillip Norris, commenced this civil rights action in March 2006, pursuant to 42 U.S.C. § 1983. By Report-Recommendation dated September 7, 2010, the Honorable George H. Lowe, United States Magistrate Judge, recommended that defendant's motion for summary judgment (Docket No. 47) be denied. The defendant has filed objections to the report and recommendation.

Based upon a de novo review of the entire file, including the portions of the Report-Recommendation to which defendant has objected, and the recommendations of Magistrate Judge Lowe, the Report-Recommendation is accepted and adopted in all respects. See 28 U.S.C. 636(b)(1).

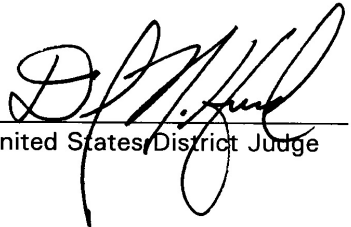
Accordingly, it is

ORDERED that

1. Defendant's motion for summary judgment (Docket No. 47) is DENIED;
2. The Clerk is directed to return the file to the Magistrate Judge for any further pretrial scheduling.

IT IS SO ORDERED.

Dated: September 28, 2010
Utica, New York.


United States District Judge